

Notice of Allowability

Application No.

09/987,815

Examiner


F. Ryan Zeender

Applicant(s)

SANADA ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to communication received 8/13/2004.
2. ☒ The allowed claim(s) is/are 4-13 and 21-28.
3. ☒ The drawings filed on 02 September 2003 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|---|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____ |

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Daniel Stanger, Reg. # 32,846, on 10/20/2004.

The application has been amended as follows:

In claim 4, line 30, "a charging system of said owner" was changed to –the charging system of said owner--.

In claim 4, line 36, "a charging system of said owner" was changed to –the charging system of said owner--.

In claim 4, line 38, "an initial setting stage" was changed to –the initial setting stage--.

In claim 5, line 3, "an initial setting stage" was changed to –the initial setting stage--.

In claim 6, lines 3-4, "an initial setting stage" was changed to –the initial setting stage--.

In claim 7, lines 3-4, "an initial setting stage" was changed to –the initial setting stage--.

In claim 21, line 30, "a charging system of said owner" was changed to --the charging system of said owner--.

REASONS FOR ALLOWANCE

The following is an examiner's statement of reasons for allowance:

The best prior art reference is to Crawford (US6,411,943). Crawford discloses that customers can make a contract with backup service and they can use a remote data storage from a customer's PC via a data link by inputting their ID and password. However, Crawford does not disclose (*common element in both independent claims*) a method of renting and charging a storage system to users whereby a data storage itself manages information of a use state of a disk drive by referring to a use management table storing information about the state of use of the disk drive. Crawford further does not teach providing the user with an initial volume of storage space and then an additional volume of storage space when needed by the user.

Because these elements are not taught by the prior art and are unobvious, the claims in the present application are allowable.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

RELEVANT PRIOR ART

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

JP401248725A to Yasuno teaches a means for storing detailed charging information but lacks the specific teaching of renting and charging a storage system to users whereby a data storage itself manages information of a use state of a disk drive by referring to a use management table storing information about the state of use of the disk drive. Yasuno further does not teach providing the user with an initial volume of storage space and then an additional volume of storage space when needed by the user.

EP701255A2 to Ziporovich teaches a means for storing data in a disk drive but lacks the specific teaching of renting and charging a storage system to users whereby a data storage itself manages information of a use state of a disk drive by referring to a use management table storing information about the state of use of the disk drive. Ziporovich further does not teach providing the user with an initial volume of storage space and then an additional volume of storage space when needed by the user.

CONCLUSION

Any inquiry concerning this communication or earlier communications from the examiner should be directed to F. Ryan Zeender whose telephone number is (703) 308-8351. The examiner can normally be reached on Monday-Friday, 8am-5pm.

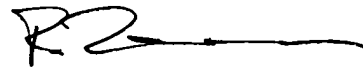
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Olszewski can be reached on (703) 308-5183. The fax phone

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number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

F. Zeender
Primary Examiner, A.U. 3627
21 October 2004



F. RYAN ZEENDER
PRIMARY EXAMINER

10/21/04